

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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GREGORY J. PHILLIPS,

Petitioner,

v.

CAROL HOLKINKA, Warden,  
Oxford Federal Correctional Institution,

Respondent.  
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ORDER

10-cv-439-bbc

As directed in this court's order of January 26, 2011, petitioner Gregory Phillips has submitted a copy of his trust fund account statement so that a determination may be made whether he is indigent for the purpose of proceeding on appeal in forma pauperis and if he is, what amount must be assessed as an initial partial payment of the fee for filing his appeal.

From my review of petitioner's trust fund account statement, I conclude that he qualifies for indigent status. Further, I assess petitioner an initial partial payment of the \$455 fee for filing his appeal in the amount of \$59.46.

IT IS ORDERED that petitioner Gregory Phillips may have until February 28, 2011, in which to submit a check or money order made payable to the clerk of court in the amount

of \$59.46. If, by February 28, 2011, petitioner fails to pay the initial partial payment or explain his failure to do so, then I will advise the court of appeals of his noncompliance in paying the assessment so that it may take whatever steps it deems appropriate with respect to this appeal.

Further, the clerk of court is requested to insure that the court's financial records reflect petitioner's obligation to pay the \$59.46 initial partial payment and the remainder of the \$455 fee in monthly installments.

Entered this 7th day of February, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB  
District Judge